

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMIE PACHECO,

Plaintiff,

vs.

RALPHS GROCERY COMPANY,

Defendant.

Case No. 2:14-cv-00925-GMN-NJK

ORDER

(Docket No. 27)

Pending before the Court is the parties' stipulation to continue the October 27, 2015, settlement conference. Docket No. 27. For good cause shown, the Court GRANTS the parties' stipulation.

The settlement conference is continued to **December 3, 2015, at 9:30 a.m.**, in the chambers of the undersigned Magistrate Judge, Third Floor, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada.

Additionally, the Court sets a telephonic status hearing for November 23, 2015, at 2:00 p.m. The parties shall call the Court conference line at 702-868-4906 at least five minutes prior to the status hearing. The conference code is 123456. In order to ensure a clear recording of the hearing, the call must be made using a land line phone. Cell phone calls, as well as the use of a speaker phone, are prohibited.

Unless ordered otherwise, the following individual(s) are **required to be present in person for the duration of the settlement conference on December 3, 2015:**

1. All counsel of record who will be participating in the trial;
2. All parties appearing pro se;

3. All individual parties;
4. In the case of non-individual parties, an officer or representative with binding authority to settle this matter up to the full amount of the claim or last demand made; and
5. If any party is subject to coverage by an insurance carrier, then a representative of the insurance carrier with authority to settle this matter up to the full amount of the claim or last demand.

Any request for an exception to the above personal attendance requirements must be filed and served on all parties within seven (7) days of the issuance of this order. Such a request will be strictly scrutinized for a showing of compelling justification.

PREPARATION FOR SETTLEMENT CONFERENCE

In preparation for the settlement conference, each party shall submit a confidential settlement conference statement for in camera review. The statement shall contain the following:

1. A brief statement of the nature of the action.
2. The names of the people who will attend the settlement conference.
3. A concise summary of the evidence that supports your theory of the case, including the names of individuals disclosed pursuant to Rule 26(a)(1)(A)(i), the Rule 26(a)(1)(A)(iii) computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. You must provide all information which documents or supports your damages claims. Copies of medical records or treatment records need not be submitted but, rather, shall be provided in a table or summary format.
4. Attach to your statement any documents or exhibits which are relevant to key factual or legal issues, including selected pages from deposition transcripts or responses to other discovery requests.
5. An analysis of the key issues involved in the litigation. The analysis must include a discussion of the strongest points in your case, both legal and factual, and a frank discussion of the weakest points as well. The Court expects you to present a thorough analysis of the key issues and candid evaluation of the merits of your case.
6. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps, or motions pending before the Court.
7. The history of settlement discussions, if any, which have occurred in this case. Provide

1 any demands, offers, or offers of judgment that have been made and, if applicable, the reasons they have
2 been rejected. Attach a copy of all settlement correspondence, including all written demands or offers
3 and responses thereto.

4 8. Provide the initial settlement proposal that will be presented at the settlement conference
5 with a justification for any monetary amount. The proposal must include any non-monetary settlement
6 terms that will be presented.

7 The settlement conference statements shall be submitted, in an envelope marked "Confidential,"
8 directly to the undersigned's box in the Clerk's Office not later than **November 25, 2015. DO NOT**
9 **SERVE A COPY ON OPPOSING COUNSEL.**

10 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and
11 conducting the settlement conference. In order to facilitate a meaningful conference, your utmost candor
12 in responding to all of the above-listed questions is required. **The settlement conference statement**
13 **will remain confidential.** If this case does not settle, the settlement conference statement will not be
14 disclosed to the judge who ultimately presides over the trial. Each statement will be securely maintained
15 in my chambers, and will be destroyed following the conference.

16 **In addition to the above requirements, the parties and counsel must be substantially**
17 **prepared to meaningfully participate in the Settlement Conference in good faith.**

18 **FAILURE TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS ORDER**
19 **WILL SUBJECT THE NON-COMPLIANT PARTY AND/OR COUNSEL TO SANCTIONS**
20 **UNDER FEDERAL RULE OF CIVIL PROCEDURE 16(f).**

21 IT IS SO ORDERED.

22 DATED: October 20, 2015.

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24 
25 NANCY J. KOPPE
26 United States Magistrate Judge
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